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[ADDITIONAL COUNSEL LISTED ON
SIGNATURE PAGE]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH, a
California Corporation, and MULTIPLAN,
INC., a New York corporation,

Defendants.

CASE NO. 4:20-cv-02254

**JOINT STIPULATION TO EXTEND
DEFENDANTS' TIME TO RESPOND TO
FIRST AMENDED COMPLAINT AND SET
BRIEFING SCHEDULE**

AND ORDER

Pursuant to Local Rule 6-2, the parties to the above-captioned litigation, by and through their respective counsel of record, hereby stipulate and request as follows:

WHEREAS, Plaintiffs filed a Complaint in this action on April 2, 2020 (Dkt. 1);

WHEREAS, on June 11, 2020, each Defendant filed a motion to dismiss the Complaint (Dkts. 33, 34);

WHEREAS, on August 26, 2020, the Court granted Defendants' motions to dismiss the Complaint without prejudice (Dkt. 55);

WHEREAS, Plaintiffs filed a First Amended Complaint on September 25, 2020 (Dkt. 57);

WHEREAS, Defendants' deadline to respond to the First Amended Complaint is currently October 26, 2020 (Dkt. 55);

WHEREAS, under Local Rule 7-3, Plaintiffs' oppositions would be due on November 9, 2020, and Defendants' replies would be due on November 16, 2020;

WHEREAS, the parties have met and conferred and agree that, in light of the anonymized patient and claims information in the First Amended Complaint, information sharing is required among counsel before Defendants respond to the First Amended Complaint, consistent with HIPAA protections, to ensure that any briefing about these matters is based on accurate information, Defendants may have a four-day extension, or until October 30, 2020, to respond to the First Amended Complaint;

WHEREAS, the parties further agree that, because Defendants will be filing separate motions to dismiss and because of the intervening Thanksgiving holiday, a brief extension of the default deadlines for the opposition and reply briefs are warranted (until November 24, 2020 and December 8, 2020, respectively);

WHEREAS, the parties are both available for a hearing on December 22, 2020 at 2 p.m., or such other time as may be convenient for the Court;

WHEREAS, the parties agree that it would be premature to hold a Rule 26(f) conference, prepare a case management statement, and participate in a case management conference, currently scheduled for November 2, 2020 (Dkt. 56), before the Court makes a ruling on Defendants' motions to dismiss the First Amended Complaint;

1 WHEREAS, the Court previously agreed to vacate the case management conference pending
2 a ruling on Defendants' motions to dismiss (Dkt. 54);

3 WHEREAS, the parties previously sought and received an extension of time to respond to the
4 Complaint (Dkt. 14), and to brief the motion to dismiss the Complaint (Dkt. 42), but have not
5 previously sought an extension of time to respond to the First Amended Complaint;

6 WHEREAS, nothing in this stipulation shall prevent the parties from requesting subsequent
7 extensions of time, should the circumstances warrant;

8 THEREFORE, the parties jointly stipulate, subject to the Court's approval, that:

- 9 1. Defendants shall have until October 30, 2020 to file responses to Plaintiffs' First
10 Amended Complaint;
- 11 2. Plaintiffs shall have until November 24, 2020 to respond to Defendants' motions;
- 12 3. Defendants shall have until December 8, 2020 to respond to Plaintiffs' oppositions;
- 13 4. A hearing shall be held on December 22, 2020 at 2 p.m., or such other time as may be
14 convenient for the Court;
- 15 5. The case management conference currently set for November 2, 2020 shall be vacated
16 and continued until 60 days after a ruling on Defendants' motions to dismiss the First
17 Amended Complaint in this matter and the related matter, *Pacific Recovery Solutions*
18 *v. United Behavioral Health*, No. 20-cv-02249 (N.D. Cal.), and all related deadlines
19 shall be continued as well.

20 **IT IS SO STIPULATED.**

21 Dated: October 14, 2020

22 GIBSON, DUNN & CRUTCHER LLP

23
24 By: /s/ Geoffrey Sigler
25 Geoffrey Sigler

26 Attorneys for Defendant UNITED BEHAVIORAL
27 HEALTH
28

1 Dated: October 14, 2020

PHELPS DUNBAR LLP

2
3 By: /s/ Errol King

4 Errol King

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12 Dated: October 14, 2020

NAPOLI SHKOLNIK, PLLC

13
14 By: /s/ Matthew M. Lavin

Matthew M. Lavin

15 Attorneys for PLAINTIFFS

PROPOSED ORDER

Pursuant to Stipulation, **IT IS SO ORDERED.**

DATED: October 21, 2020



Hon. Yvonne Gonzalez Rogers
United State District Court Judge

ATTESTATION PURSUANT TO LOCAL RULE 5-1

I, Geoffrey Sigler, hereby attest that concurrence in the filing of this document has been obtained from the other signatories hereto.

Dated: October 14, 2020

/s/ Geoffrey Sigler

Geoffrey Sigler